

ASSEMBLY BILL

No. 1058

Introduced by Assembly Member Koretz

February 22, 2005

An act to add Article 8.5 (commencing with Section 114181) to Chapter 4 of Part 7 of Division 104 of the Health and Safety Code, relating to food labeling.

LEGISLATIVE COUNSEL'S DIGEST

AB 1058, as introduced, Koretz. Retail food: beef labeling and information.

The existing California Uniform Retail Food Facilities Law (CURFFL) regulates retail food facilities and is primarily enforced by local health agencies. CURFFL prohibits a food facility from opening for business without a valid permit issued by the local enforcement agency. CURFFL requires any fee for the permit and related services to be determined by the local governing body in an amount sufficient to cover the actual expenses of administering and enforcing CURFFL. A violation of any provision of CURFFL is a misdemeanor.

To the extent allowed by the Federal Meat Inspection Act and applicable federal meat inspection regulations, this bill would require any person, firm, or corporation operating a retail facility, food store, or other food establishment or food facility that sells unprocessed imported or blended beef to indicate in clear and conspicuous letters on the meat, the immediate wrapping or container, or a sign included with the display if the beef is displayed for sale or sold unwrapped, the beef's county or countries of origin.

By changing the definition of existing crimes and increasing the enforcement responsibilities of local health agencies, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Article 8.5 (commencing with Section 114181) is added to Chapter 4 of Part 7 of Division 104 of the Health and Safety Code, to read:

Article 8.5. Beef Labeling and Information

114181. (a) To the extent allowed by the Federal Meat Inspection Act (21 U.S.C. Sec. 601 et seq.) and applicable federal meat inspection regulations, any person, firm, or corporation operating a retail facility, food store, or other food establishment or food facility that sells unprocessed imported or blended beef, whether fresh or frozen, including ground beef, shall indicate in clear and conspicuous letters on the meat, the immediate wrapping or container, or a sign included with the display if the beef is displayed for sale or sold unwrapped, one of the following designations:

(1) "Product of (insert name of foreign country or countries)" if the beef product consists exclusively of imported beef.

(2) "Blend of (insert name of foreign country or countries) and American beef" if the product consists of blended beef.

(b) The notice shall be in a font size and boldness at least as large and as prominent as other items describing the product, and, in any case, shall be no smaller than 12-point bold face type.

1 (c) This section shall not apply to prepared meat that is sold at
2 retail for consumption on the premises, to prepared meat sold by
3 a restaurant, to prepared meat in ready-to-eat food as defined by
4 Section 113857, or to meat ingredients in processed foods and
5 fully cooked meat as defined in the United States Department of
6 Agriculture Food Safety and Inspection Service regulations and
7 directives.

8 (d) Nothing in this section shall be construed to prohibit the
9 use of additional words to describe the grade, quality, or kind or
10 beef described.

11 (e) This section shall not establish any additional labeling
12 requirement for any imported processed food product for which a
13 country of origin label is required pursuant to Section 1304 of the
14 federal Tariff Act of 1930 (19 U.S.C. Sec. 1304).

15 (f) As used in this section, the following words have the
16 following meanings:

17 (1) "American beef" means beef exclusively from an animal
18 that was exclusively born, raised, and slaughtered in the United
19 States. This includes beef from an animal exclusively born and
20 raised in Alaska or Hawaii and transported for a period not to
21 exceed 60 days through Canada to the United States and
22 slaughtered in the United States.

23 (2) "Blended beef" means beef that is a blend of imported beef
24 and American beef.

25 (3) "Imported beef" means beef derived in whole or in part
26 from any livestock that was born or raised or lived at any time in
27 any foreign country, except as provided in paragraph (1).

28 (g) This section shall be implemented to the extent that funds
29 are made available.

30 SEC. 2. No reimbursement is required by this act pursuant to
31 Section 6 of Article XIII B of the California Constitution for
32 certain costs that may be incurred by a local agency or school
33 district because, in that regard, this act creates a new crime or
34 infraction, eliminates a crime or infraction, or changes the
35 penalty for a crime or infraction, within the meaning of Section
36 17556 of the Government Code, or changes the definition of a
37 crime within the meaning of Section 6 of Article XIII B of the
38 California Constitution.

39 However, if the Commission on State Mandates determines
40 that this act contains other costs mandated by the state,

- 1 reimbursement to local agencies and school districts for those
- 2 costs shall be made pursuant to Part 7 (commencing with Section
- 3 17500) of Division 4 of Title 2 of the Government Code.

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